

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

v.

**No. CIV 09-0339 MCA/LAM
CR 07-0378 MCA**

RAYMOND ELOY SEDILLO,

Defendant/Movant.

ORDER

THIS MATTER came before the Court upon Defendant/Movant's amended motion to vacate, set aside, or correct sentence (*CV Doc. 8*; *CR Doc. 65*), which was signed by Defendant/Movant, and his motion to proceed in forma pauperis (hereinafter, "IFP") (*CV Doc. 3*). It appearing from the record that Defendant/Movant has complied with the Court's ***Order to Show Cause*** (*CV Doc. 4*; *CR Doc. 64*), based on which the Court will quash the ***Order to Show Cause***; and it appearing further that Defendant/Movant has been previously been found indigent (*CR Doc. 7*), thereby making the IFP motion moot, and the Court otherwise being fully advised;

IT IS THEREFORE ORDERED that the ***Order to Show Cause*** (*CV Doc. 4*; *CR Doc. 64*) entered on April 17, 2009, is **QUASHED**;

IT IS FURTHER ORDERED that Defendant/Movant's motion to proceed in forma pauperis (*CV Doc. 3*) is **DENIED** as moot;

IT IS FURTHER ORDERED that the Clerk of the Court shall forward to the United States of America a copy of Defendant/Movant's amended motion to vacate, set aside, or correct sentence (*CV Doc. 8*; *CR Doc. 65*) and supporting papers and exhibits, if any, together with a copy of this order.

IT IS FURTHER ORDERED that the United States shall answer Defendant/Movant's amended motion to vacate, set aside, or correct sentence (*CV Doc. 8*; *CR Doc. 65*) within twenty-three days of entry of this Order.

IT IS SO ORDERED.



LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE